

CHAPTER IX FINANCIAL ELIGIBILITY	SECTION: 12 INCOME - ILLEGAL OR UNDOCUMENTED IMMIGRANTS CALCULATIONS	COMAR: 07.03.03.13
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INCOME CALCULATIONS

- A. Illegal or undocumented immigrants are individuals who have entered or are living in the United States without official authorization by:
 1. Entering the United States without going through the admittance process
 2. Over staying their visa time limit, or
 3. Violating conditions of their visa
- B. If the illegal or undocumented immigrant is an applicant, the initial needs test must be done using the **20%** earned income disregard or **50%** if self employed. If the applicant passes the initial needs test, then go to steps C 1. through C 8. below
- C. A prorated portion of the income of an illegal or undocumented immigrant shall be counted as income to the assistance unit as follows:
 1. Disregard 35% of the gross earned income, or 50% of the self-employed income (the cost to produce is included)
 2. Deduct out of pocket child care expenses up to the maximum of \$200 per month per child for full-time employment or up to the maximum of \$100 per month per child for part-time employment
 3. Deduct child support payments made to persons outside of the assistance unit
 4. Deduct alimony payments made to persons living outside of the assistance unit for stepparent and sponsor cases only
 5. Add all unearned income
 6. Divide the result by the number of individuals in the assistance unit, **including the illegal or undocumented immigrant**, and then
 7. Multiply the result by the number of individuals in the assistance unit **excluding the illegal or undocumented immigrant**
 8. The result is the amount of countable income available to the assistance unit from the illegal or undocumented immigrant
- D. All assets belonging to the illegal or undocumented immigrant are considered available to the assistance unit

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EXAMPLES:

Example 1. Mr. Bowler is an illegal immigrant in the process of establishing permanent residence. He has moved into the home of his wife and daughter, who are United States citizens and currently receiving TCA benefits. Mr. Bowler receives \$150 a month as settlement for an accident.

- \$328 = TCA grant amount for 2
- 150 = Mr. Bowler's unearned income
- \$178 = TCA monthly benefit amount to Mrs. Bowler and daughter

Example 2. Ms. Hernandez is an undocumented immigrant in the process of establishing permanent residence. She works full-time earning \$200 a week. Ms. Hernandez lives with her 3 daughters who are United States citizens. She pays \$50 a week for child care. The initial needs test was passed.

- \$800 = Gross monthly earnings
- 280 = 35% disregard
- \$520
- 200 = Child care expense
- \$320
- \$320 ÷ 4 (assistance unit with Ms. Hernandez) = \$ 80
- \$ 80 x 3 (assistance unit without Ms. Hernandez) = \$240
- \$240 = Net countable earned income
- \$417 = TCA benefit amount for 3
- 240 = Net countable earned income
- \$177 = TCA benefit amount

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ADDITIONAL INFORMATION

- Assistance Unit – Basic Requirements
- Financial Eligibility – Earned Income
- Family Investment Program Components – State funded Temporary Cash Assistance